

ELLEN F. ROSENBLUM
Attorney General
BRIAN SIMMONDS MARSHALL #196129
Senior Assistant Attorney General
ALEX C. JONES #213898
Assistant Attorney General
Department of Justice
100 SW Market Street
Portland, OR 97201
Telephone: (971) 673-1880
Fax: (971) 673-5000
Email: Brian.S.Marshall@doj.state.or.us
Alex.Jones@doj.state.or.us

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

LEGACY HEALTH; LEGACY GOOD
SAMARITAN HOSPITAL AND MEDICAL
CENTER; LEGACY MOUNT HOOD
MEDICAL CENTER; LEGACY MERIDIAN
PARK HOSPITAL dba LEGACY
MERIDIAN PARK MEDICAL CENTER; and
LEGACY EMANUEL HOSPITAL &
HEALTH CENTER dba LEGACY
EMANUEL MEDICAL CENTER,

Plaintiffs,

v.

VAL HOYLE, in her official capacity as
Commissioner of the Oregon Bureau of Labor
and Industries; DUKE SHEPARD, in his
official capacity as Deputy Commissioner of
the Oregon Bureau of Labor and Industries;
and OREGON BUREAU OF LABOR AND
INDUSTRIES,

Defendants.

Case No. 3:22-CV-005732-HZ

DECLARATION OF DUKE SHEPARD

I, Duke Shepard, do declare as follows:

1. I currently serve as Deputy Labor Commissioner of the State of Oregon. I have served in that position since January 7, 2019.

2. On February 26, 2019, I met with a group of nurses who worked for Legacy Health. At the meeting, we discussed BOLI's meal-and-rest-period rule (OAR 839-020-0050).

3. On March 8, 2019, I received an email from Allison Filipovic, who was one of the nurses with whom I met on February 26, 2019. That email is attached as Exhibit 1 to this declaration.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on July 18, 2022.

s/ Duke Shepard
DUKE SHEPARD